



W.P(MD)No.21660 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.21660 of 2022

S.Ganesan

... Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional officer,
Thirumangalam,
Madurai District.

3.The Tahsildar,
Thirumangalam,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the third respondent in his proceedings Na.Ka.No. 6245/2013/A5 dated 12.08.2022 and quash the same and further direct the third respondent to allot alternative land measuring 2 acres 10 cents in S.No.33/1 Uchapatti Village, Thirumangalam Taluk, Madurai District to the petitioner for the lands acquired from the petitioner for the Tamil Nadu Housing Board in S.No.29/1 measuring 1 acre 65 cents and in S.No.30/1 measuring 0.45 cents situated at Uchapatti Village, Thirumangalam Taluk, Madurai District.



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For Petitioner : Mr.PT.S.Narendravasan

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the third respondent, dated 12.08.2022 thereby rejected the request made by the petitioner seeking alternative land or compensation for the land comprised in S.No.29/1 measuring 1 acre 65 cents and in S.No.30/1 measuring 0.45 cents situated at Uchapatti Village, Thirumangalam Taluk, Madurai District.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The land comprised in S.No.30/1 was allotted in favour of the petitioner's grandfather namely Perumal Thevar under the Vinobaji Boomithana Movement Scheme. After his demise, the petitioner's father inherited the same. Likewise, the land comprised in S.No.29/1 to an extent of 3 acres 51 cents was allotted in favour of Muthusamy Thevar under the very same scheme. He had one daughter. The petitioner's grandfather married the daughter of the Muthusamy Thevar. After the



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death of the petitioner's paternal grandfather, the petitioner's father derive title over the property and he is in possession and enjoyment of both properties. While being so, the land comprised in S.No.29/1 and 30/1 to an extent of 2 acres 10 cents was acquired for formation of road in G.O.Ms.No.56/2017. At the time of acquisition, his father was assured that alternative land will be provided. However, thereafter, no alternative land was allotted and after the demise of his father, the petitioner submitted a representation, however, it was rejected and aggrieved by the same, the petitioner filed this writ petition.

4. The learned counsel appearing for the petitioner would submit that after acquisition of the land, the petitioner's father was assured that alternative land will be provided, however, neither no alternative land will be allotted nor paid any compensation.

5. The learned Additional Government Pleader appearing for the respondents would submit that the respondents on enquiry found that the petitioner failed to produce any proof to show that he is the legal heir of the original assignee. That apart, the petitioner is also working as Welder and earning more than 1.5 lakhs per year. Under the Tamil Nadu



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Bhoodan Yagna Act , 1958 the income shall not be more than Rs.

25,000/-. That apart, originally the said land was assigned in favour of one Perumal and Muthusamy Thevar, however, the petitioner failed to prove his relationship and how he did derive title over the property. Further, the said land was handed over in favour of the Tamil Nadu Housing Board and as such, the request was rightly rejected.

6. In view of the above, this Court finds no infirmity or illegality in the order passed by the third respondent and it is devoid of merits and is liable to be dismissed.

7. Accordingly, the writ petition is dismissed. No costs.

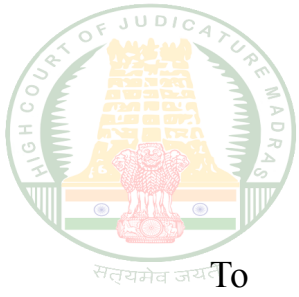
NCC : Yes / No

Index : Yes / No

Internet : Yes

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G.K.ILANTHIRAIYAN, J.

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Order made in
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